Long-Running Construction Defect Fight in Texas Ends With Defense Win

News

A decade-long construction defect battle involving a South Padre Island, Texas, luxury condominium complex damaged during Hurricane Dolly has been resolved in a take-nothing defense win secured by attorneys of the West Mermis law firm for the general contractor.

Do Architects and Engineers Owe a Legal Duty to Non-Contracting Parties?

Insight

A appellate opinion provides some guidance with respect to the architect’s and engineer’s common law duty when processing pay applications, according to Clark Hill PLC.

How Blockchain Technology Is

Transforming the Legal Industry

Insight

A Bloomberg Law discusses the increased efficiency and uniformity blockchain can provide in contracting, its used in other legal documents, the skills and role of lawyers in blockchain, and the challenges ahead for the technology.

Detours on the Way to Your Contractually Selected Forum

Insight

Global Private Equity Watch finds some good news for the careful transactional lawyer who drafts a bespoke forum clause in a contract.

Claim of Fraudulent Inducement of a Construction Contract Does Not Invalidate Arbitration Clause

Insight

Pepper Hamilton LLP’s Constructlaw blog discusses an Ohio case

in which a plaintiff sued a building company and attempted to have the arbitration clause in a construction contract declared unenforceable.

How AI Is Changing Contracts

Insight

AI contracting tools may offer the most value to companies with large volumes of contracts by reducing time spent in review and drafting. But as the technology develops, it will one day be useful to all firms, writes Beverly Rich in the Harvard Business Review.

Implied Covenant Will Not Save You From Your Agreement If You Negotiated Away Your Rights

Insight

A Cadwalader, Wickersham & Taft post discusses a decision that underscores the limits on an implied covenant breach claim under Delaware law.

‘Home Country’ Arbitration Clause More Trouble Than It’s Worth?

Insight

The “home country” provision provides that the party initiating arbitration must sue the other party in its home country, explains a post by Skadden, Arps, Slate, Meagher & Flom.

Your Emoji Use Just Formed a Contract

Insight

Before using emojis or emoticons in emails and other communications, it is critical to consider how they may be received or interpreted, warns Eric Begun of King & Fisher Law Group.

Love Contracts and Policies on Office Romance: What Can

an Employer Do?

Insight

employers must be diligent in making sure that the policies are enforced fairly and without a disparate impact, writes Ashley Robertson Parr for Nexsen Pruet.

Changing Contracts: Amending Agreements

Insight

Even the best agreements can require amendments based on changes in law, technology, and the products or services provided, according to Kirkpatrick Law.

Attempting to Insert New Term into Collective Bargaining Agreement Not Agreed to in Negotiations Violates the Law

Insight

A signed agreement serves as an absolute bar to employees filing a decertification petition during the term of the agreement, while an unsigned agreement does not bar such a petition.

On Remand, District Court Breaks New Ground by Vacating Arbitrator's Class Certification Award

Insight

A federal district court has the authority to vacate an arbitrator's class certification award based on the due process rights of absent class members, according to a post on the website of K&L Gates.

Does the Insurance Policy Incorporate the Service Contract by Reference? An Examination of *In Re Deepwater Horizon*

Insight

A Steptoe & Johnson article takes a look at the way additional insured coverage under an insurance policy is analyzed when there is an underlying drilling contract limiting the additional insured coverage to the scope of the liability assumed in the service contract.

On-Demand: Contract Management – Beyond the Expected

On-Demand

Determine Inc. has posted an on-demand webinar describing how real-life company challenges morph into ideas and concepts for contract management innovations and predicting what companies are looking for in 2018.

A Third of Americans Are Leashed to Their Companies By Non-Disclosure Agreements

Insight

Amy X. Wang, writing for Quartz at Work, says the contracts have been steadily growing in both number and breadth as companies grow warier about competition and proprietary material.

11th Circuit Benchslaps Biglaw Partner and District Court for Not Following Order

News

Above the Law examines a case in which a district court and a lawyer got into trouble with the 11th Circuit when the lower court took the lawyer's advice not to apply the circuit's ruling in a remanded case.

NDAs Are Out of Control. Here's What Needs to Change

Insight

Preventing workers from using their knowledge and skills beyond a single workplace is harmful not simply to the worker but to entrepreneurship, competition, and economic growth, writes Orly Lobel in the Harvard Business Review.

Employer's Notice of Mandatory Arbitration Program

May Be Insufficient to Compel Arbitration

Insight

Something more is required in order to be able to infer the employee's knowing assent to the new term of employment, the Sixth Circuit ruled.

Download: The State of E-Signature Implementation

Insight

The Forrester Report examines 25 e-signature implementations across the United States and Europe with use cases for receivables, payables, various contracts, onboarding agreements, and travel bookings